



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION

2012 NOV 30 PM 5: 38

CELA

MEMORANDUM

TO: The Commission

FROM: Anthony Herman
General Counsel

Daniel A. Petalas
Associate General Counsel for Enforcement

BY: Mark Shonkwiler
Assistant General Counsel

Camilla Jackson Jones
Attorney

SUBJECT: MURs 6078, 6090, 6108, 6139, 6142, and 6214, and AF 2512 (Obama for America) – Pre-Probable Cause Conciliation Agreement

I. INTRODUCTION

Attached is a revised conciliation agreement that we recommend the Commission accept to resolve violations of 2 U.S.C. §§ 434(a), (b), and 441a(f) by Obama for America and Martin Nesbitt in his official capacity as treasurer ("Respondents" or "OFA"). Attach. 1. Pursuant to the Commission's instructions at the Executive Session on July 10, 2012, the revised agreement would resolve violations arising from both the above-referenced Matters Under Review and the Administrative Fines Matter arising from the Commission's Audit of OFA's 2007-2008 presidential campaign.

Respondents have agreed to pay a \$375,000 civil penalty, \$191,135 administrative fine for violations of 2 U.S.C. § 434(a)(6)(A) set forth in AF 2512, and \$183,865 for violations of 2 U.S.C. §§ 434(b) and 441a(f) set forth in MURs 6078, 6090, 6108, 6139, 6142, and 6214.

13044323579

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

Therefore, we recommend that the Commission accept the attached signed conciliation agreement with Obama for America and Martin Nesbitt in his official capacity as treasurer, approve the appropriate letters, and close the files.

III. RECOMMENDATIONS

1. Accept the attached signed conciliation agreement with Obama for America and Martin Nesbitt in his official capacity as treasurer;
2. Approve the appropriate letters; and
3. Close the files.

13044323580